

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
Civil No. 5:17-cv-00011-FDW-DSC

GUADALUPE JACQUEZ JR.,)
)
Plaintiff,)
)
v.)
)
NANCY A. BERRYHILL,)
Acting Commissioner of Social Security,)
)
Defendant.)

ORDER

Defendant, Nancy A. Berryhill, Acting Commissioner of Social Security, has moved this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment reversing her decision with a remand of the case for further administrative proceedings. (Doc. No. 12). Plaintiff's attorney consents to Defendant's Motion.

Pursuant to the power of this Court to enter a judgment reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), this Court hereby GRANTS Defendant's Motion (Doc. No. 12), REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and REMANDS the case to the Commissioner for further proceedings. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Consequently, Plaintiff's Summary Judgment Motion (Doc. No. 10) is DENIED as MOOT.

IT IS SO ORDERED.

Signed: July 13, 2017



Frank D. Whitney
Chief United States District Judge
